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Fax**To:** U.S. Patent and Trademark Office
Examiner (Jackie) Uyen T. Ho
Art Unit 3731**From:** Richard L. Gregory, Jr.
Shemwell Gregory & Courtney LLP
Customer No.: 30554
Phone No.: 408.236.6646
Fax No.: 408.236.6641**Fax:** 703.872.9306**Pages:** 10 Including cover sheet**Phone:** 703.306.3421**Date:** September 28, 2004**Re:** Application No. 10/010,410**CC:**

Attorney Docket No. LMND.P116

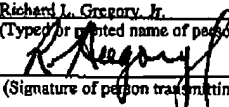
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TELEFACSIMILE TO THE COMMISSIONER FOR PATENTS, ALEXANDRIA, VA, ART
UNIT 3731 AT (703) 872-9306 ON:

Date: 09-28-2004By: **Message:**

Hi Examiner Ho,
Please call me at (408) 236-6646 if any issues remain for discussion.
Best regards,
Rick Gregory

Confidentiality Note

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| CERTIFICATE OF TRANSMISSION VIA FACSIMILE | |
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| I hereby certify that this correspondence is being transmitted via facsimile to Examiner Uyen T. Ho, Art Unit 3731, at (703) 872-9306 and addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. | |
| Richard L. Gregory, Jr. (Typed or printed name of person mailing paper(s) or fee(s)) | |
|  (Signature of person transmitting paper or fee) | |
| September 28, 2004 (Date signed) | |

Serial/Patent No.: 10/010,410 Filing/Issue Date: December 5, 2001

Title: Catheter System for Vascular Re-entry from a Sub-intimal Space

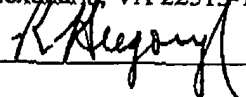
Atty. Docket No.: LMND P116

Date Transmitted: September 28, 2004

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | |
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| <input checked="" type="checkbox"/> Amendment/Response (8 pgs.) | <input type="checkbox"/> Petition for Extension of Time (__ month(s); in duplicate) |
| <input type="checkbox"/> Preliminary Amendment (pgs.) | <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A |
| <input type="checkbox"/> Application - Utility (pgs.) | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Application - Rule 1.53(b) Contin. (pgs.) | <input type="checkbox"/> Submission of Formal Drawings |
| <input type="checkbox"/> Application - Rule 1.53(b) Divis. (pgs.) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (pgs.) | <input type="checkbox"/> Appeal Brief (pgs. in triplicate) |
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| <input type="checkbox"/> Application - PCT (pgs.) | <input type="checkbox"/> Response to Notice of Missing Parts |
| <input type="checkbox"/> Application - Provisional (pgs.) | <input type="checkbox"/> Utility Patent Application Transmittal |
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Richard L. Gregory, Jr.
(Name of person transmitting correspondence)

September 28, 2004

Date

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Atty. Docket No. LMND.P116

PATENT

IN THE UNITED STATES PATENT OFFICE

| | | |
|--|---|----------------------|
| In Re Patent Application of: |) | |
| |) | Examiner: Uyen T. Ho |
| Kurt D. Sparks, et al. |) | Art Unit: 3731 |
| |) | |
| Application No. 10/010,410 |) | |
| |) | |
| Filed: December 5, 2001 |) | |
| |) | |
| For: CATHETER SYSTEM FOR VASCULAR |) | |
| <u>RE-ENTRY FROM A SUB-INTIMAL SPACE</u> |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Amendment Under 37 CFR § 1.111

Sir:

This amendment is in response to the Office Action mailed September 14, 2004.

Please amend the application as indicated below and consider the remarks that follow the amendments.

LMND.P116

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